

NATURAL RESOURCES COMMISSION
Information Bulletin #75

SUBJECT: Improvements on Classified Forests and Wildlands

I. BACKGROUND

The Classified Forest & Wildlands Program (referred to as “the Program”) is administered at the county level by district foresters within the Department of Natural Resources’ Division of Forestry. The Program, authorized at I.C. 6-1.1-6 et seq., allows privately owned land satisfying specified conditions to be classified and assessed for taxation at a rate of one dollar (\$1) per acre. The prerequisite conditions to acceptance of land into the Program are only generally set forth within I.C. 6-1.1-6 and interpretation of the guidelines by the district foresters has become slightly inconsistent with respect to the types of improvements that are permitted to be made on classified forest and wildland parcels.

Because the land enrolled in the Program is privately owned the enrollment does not preclude the owner’s ability to make certain improvements or to use the land for recreational or commercial activities that do not pose a long term threat to forest health or productivity or water quality. However, enrollment of the land in the Program carries with it the requirement to abide by program guidelines.

II. PURPOSE

The purpose of this nonrule policy document (referred to as “information bulletin”) is to assist with interpreting, supplementing and implementing the Department’s responsibilities with respect to the Classified Forest and Wildlands Program.

The intended scope of this information bulletin is to provide guidance for determining consistently the types of improvements that may be made upon land enrolled in the Program. The guidance provided is intended to assist the Department of Natural Resources and the Natural Resources Commission in the consistent application of Program requirements as well as to aid the public in understanding the Program requirements.

DEFINITIONS

The following definitions apply throughout this information bulletin:

“Abandoned or nonfunctional building” means a building is no longer structurally sound or is not being used by the landowner for storage or other purposes

“Building” refers to a structure, with or without utilities, having the following characteristics:

- (a) Is permanently attached to the ground (not including support poles for elevated structures that must be secured in the ground for safety reasons).
- (b) Has a structure footprint greater than seventy (70) square feet.
- (c) Has walls and a roof.

“Consistent with the size of the parcel” means that the size or quantity of the improvement does not have a significant negative impact on the health or ecological functions of the native forest, forest plantation, or wildland. Determination of impact will be based on a field review and the professional judgment of the district forester.

“Dwelling” refers to any building that contains living facilities including provisions for sleeping, eating, cooking, and sanitation for one or more persons or a mobile structure containing provisions for sleeping, eating, cooking, and sanitation for one or more persons that is permanently parked.

“Forest plantation” has the meaning set forth in IC 6-1.1-6-2.

“Improvement” manmade structure or feature.

“Native forest” has the meaning set forth in IC 6-1.1-6-3.

“Wildlands” has the meaning set forth in IC 6-1.1-6-2.5.

POLICY STATEMENTS

- A.** A parcel of land may not be classified as native forest land, a forest plantation, or wildlands if a dwelling or other building is situated on the parcel. (I.C. 6-1.1-6-6)
- B.** A parcel of land may not be classified as native forest land, a forest plantation, or wildlands if it is grazed by domestic animals or confined nondomesticated animals. (I.C. 6-1.1-6-7)
- C.** Improvements must be consistent with the size of the parcel and maintained to minimize erosion. All existing or planned improvements should be documented in the management plan or in a re-inspection report.
- D.** Improvements that will result in the removal of native forest land or forest plantation may require a special permit under IC 6-1.1-3.5 or IC 6-1.1-6-17. Landowners should contact their district forester when planning any new improvements.
- E.** The following types of improvements are generally consistent with Program requirements:

(1) Recreational Improvements

- (a) A hunting or wildlife viewing blind

Ground level blind must:

- have a footprint not greater than 70 square feet (example: two sheets of 4 feet by x 8 feet plywood floor with walls);
- be moveable without permanent foundation; and
- not be connected to utilities.

Elevated blind must:

- have a footprint not greater than 70 square feet (example: two sheets of 4 feet by x 8 feet plywood floor with walls); and
- not be connected to utilities.

An elevated blind may be secured to the ground for safety.

- (b) A recreational camper, trailer, or tent must be maintained in a moveable condition, and used for short duration or seasonally and may not be used for commercial purposes.
- (c) A trail, for the following activity:

- Running;
- Hiking;
- Horseback riding ;
- Biking;
- ATV/UTV;
- Motocross;
- Snowmobiling;
- Snowshoeing; or
- Skiing.

(d) A picnic shelter constructed without walls and without utility connections. There are no restrictions on the material used for the floor of the shelter.

(e) A restroom facility (outhouse) with a footprint under 70 square feet without utility connections.

(2) Access Improvement

In general, an existing access improvement (i.e. a driveway, access road, logging road, skid trail, bridge, dock, boat ramp, or parking area) is allowed to be maintained. The surface material of the access improvement is not restricted. Any mowing or landscaping must not be greater than the width of the access related improvement.

(3) Water Impoundment, Drainage, Flood Control Improvement

In general, existing water related property improvements, such as a dam or dike, are allowed to be maintained.

(4) Right of Way

An existing right of way, such as for a power line or a buried pipe line, is allowed provided the right of way improvement is covered in vegetation consistent with wildlands criteria established at IC 6-1.1-6-2.5 or planted with fescue to minimize erosion.

(5) Miscellaneous Improvement

The following types of miscellaneous improvements are generally allowed provided there is no building attached to the improvement.

- Windmills
- Cell Phone Towers
- Oil Derricks
- Billboards
- Utility Pole
- Zip Line
- Paint ball venues

The following activities are inconsistent with Program requirements:

- (1) Improving an abandoned or nonfunctional building. The landowner is encouraged, when practical, to remove the building and materials.
- (2) Dumping trash or otherwise disposing of refuse. The landowner is encouraged, when practical, to remove any abandoned or non-active trash pile existing on the parcel.